

### **REMARKS/ARGUMENTS**

The present Amendment is being filed in response to the non-final Official Action of July 10, 2008. The Official Action rejects Claims 33-56 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,819,285 to Damico et al. Initially, though, Applicants note that the present application actually includes pending Claims 33-60. Independent Claims 58-60, which have not been addressed by the present Official Action, were added by Applicants' Amendment dated October 27, 2004, and are hereby amended to further clarify the claimed invention. Nonetheless, as described below, however, Applicants respectfully submit that the claimed invention is patentably distinct from Damico, and therefore respectfully traverse the rejections of the claims. In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

Briefly, Damico discloses an apparatus for storing and processing co-marketing information associated with a user of an on-line computer service. As disclosed, a user accesses a WWW site 122a of a first co-marketer, where the WWW site 122a includes an advertisement for an on-line service (OLS). By clicking on the advertisement, the WWW site 122a forms a destination uniform resource locator (URL) including a URL associated with the OLS, a destination file name, and a co-marketer symbol or code. Damico, col. 5, ll. 27-45. In this regard, the co-marketer symbol or code uniquely represents the identity of the first co-marketer, and can be recognized by the OLS whenever the user connects to the OLS. *Id.* at ll. 2-8. After forming the destination URL, the user is routed from the WWW site 122a to the OLS WWW site 128. Upon reaching the OLS WWW site 128, the user is coupled to the OLS WWW site by solid line 126 (see FIG. 1). *Id.* at ll. 50-55. Thereafter, the OLS extracts the co-marketer symbol or code and stores an associated co-marketer identification code (CMID), along with subscription information for the user (if the user subscribes to the OLS). *Id.* at col. 8, ll. 25-29.

#### ***A. Claims 33-40 are Patentable***

According to one aspect of the claimed invention, as reflected by independent Claim 33, a method is provided for managing information using an intermediary gateway device having a

corresponding network address. As recited, the method includes receiving a request to communicate with a network accessible datastore having a particular network address, and modifying the particular network address of the datastore to incorporate the address of the intermediary gateway device. In addition, the method includes providing access to the network accessible datastore through the intermediary gateway device using the modified address of the network accessible datastore, where the intermediary gateway device controls the access to the network accessible datastore.

***1. Access through Intermediary Gateway Device***

In contrast to independent Claim 33, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device. Damico discloses a system and method for processing co-marketing information whereby a user selects an advertisement for an on-line service (OLS) from a co-marketer. The co-marketer then forms a destination URL to include a co-marketer symbol or code and the URL of an on-line service (OLS). The co-marketer forwards the destination URL to the OLS, and thereafter the user is provided access to and receives information from the OLS without going through the co-marketer, as shown by line 26 of FIG. 1. Further, as the system principally operates to capture and track a co-marketer source of new subscribers to an OLS, the system has no need to provide access to the OLS through the co-marketer after the OLS has captured the symbol or code for the co-marketer. In contrast to the claimed invention, then, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device, as recited by independent Claim 33.

***2. Modifying Network Address and Its Use***

Also in contrast to independent Claim 33, Damico does not teach or suggest modifying the particular network address of the network-accessible datastore to incorporate the address of the intermediary gateway device, and providing access to the network-accessible datastore using the modified address. As indicated above and as disclosed by Damico, a co-marketer WWW site forms a destination URL including a URL associated with the OLS, a destination file and a co-

marketer symbol or code. In this regard, the destination URL does include the URL of the OLS, which may correspond to a network-accessible datastore. The destination URL does not include, however, an address of the co-marketer. Instead, the destination URL includes a destination file and a co-marketer symbol or code, neither of which incorporates the address (URL) of the co-marketer.

Damico clearly defines the co-marketer symbol or code as uniquely representing the identity of the co-marketer such that the symbol or code can be recognized by the OLS whenever the user connects to the OLS. Damico '285 Patent, col. 5, ll. 2-8. Based upon the definition of the co-marketer symbol or code, then, the symbol or code does not incorporate the address of the co-marketer, but instead identifies the co-marketer to the OLS. Also, considering that, as the Damico system principally operates to capture and track a co-marketer source of new subscribers to an OLS, the Damico system has no need to modify the destination URL to incorporate the address of the co-marketer as opposed to a co-marketer symbol or code, particularly as some URL's can be quite cumbersome.

Applicants therefore respectfully submit that independent Claim 33, and by dependency Claim 34, is patentably distinct from Damico. Applicants also respectfully submit that independent Claims 35, 37 and 39 recite subject matter similar to that of independent Claim 33. As such, Applicant also respectfully submit that independent Claims 35, 37 and 39, and by dependency Claims 36, 38 and 40, are patentably distinct from Damico for at least the same reasons given above with respect to independent Claim 33.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of Claims 33-40 as being anticipated by Damico is overcome.

***B. Claims 41-44 are Patentable***

According to another aspect of the claimed invention, as reflected by independent Claim 41, a computer-implemented method is provided for managing information. As recited, the method includes providing an intermediary gateway device for communicating with network accessible datastores, and receiving a request at the intermediary gateway device to communicate with a particular network accessible datastore having a corresponding network address. As also

recited, the method includes providing access to the particular network accessible datastore through the intermediary gateway device using a network address that incorporates the address corresponding to the particular network accessible datastore and an address of the intermediary gateway device, where the intermediary gateway device controls the access to the particular network accessible datastore.

In contrast to independent Claim 41, and as explained above with respect to independent Claim 33, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device. As also explained above with respect to independent Claim 33, Damico does not teach or suggest modifying the particular network address of the network-accessible datastore to incorporate the address of the intermediary gateway device, and providing access to the network-accessible datastore using the modified address. Likewise, then, and in further contrast to independent Claim 41, Damico does not teach or suggest providing access to the network-accessible datastore using a network address that incorporates the address of the network accessible datastore and the address of the intermediary gateway device.

For at least reasons similar to those presented above with respect to independent Claim 33, then, Applicants respectfully submit that independent Claim 41 is patentably distinct from Damico. Applicants also respectfully submit that independent Claims 42-44 recite subject matter similar to that of independent Claim 41. As such, Applicant also respectfully submit that independent Claims 42-44 are also patentably distinct from Damico for at least the reasons similar to those given above with respect to independent Claim 33.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of Claims 41-44 as being anticipated by Damico is overcome.

***C. Claims 45-52 are Patentable***

According to another aspect of the claimed invention, as reflected by independent Claim 45, a method is provided for managing information using an intermediary gateway device having a corresponding Uniform Resource Locator (URL). As recited, the method includes receiving, at the intermediary gateway device from a user access system, a request to communicate with a network accessible datastore having a particular URL. The method also includes modifying the

particular URL of the datastore to incorporate the URL of the intermediary gateway device. And the method includes providing access to the network accessible datastore through the intermediary gateway device using the modified URL of the network accessible datastore, where providing access includes transmitting information through the intermediary gateway device.

In contrast to independent Claim 45, and as explained above with respect to independent Claim 33, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device. As also explained above with respect to independent Claim 33, Damico does not teach or suggest modifying the particular network address of the network-accessible datastore to incorporate the address of the intermediary gateway device, and providing access to the network-accessible datastore using the modified address. Likewise, then, and in further contrast to independent Claim 45, Damico does not teach or suggest modifying the URL of the network-accessible datastore to incorporate the URL of the intermediary gateway device, and providing access to the network-accessible datastore using the modified URL.

For at least reasons similar to those presented above with respect to independent Claim 33, then, Applicants respectfully submit that independent Claim 45, and by dependency Claim 46, is patentably distinct from Damico. Applicants also respectfully submit that independent Claims 47, 49 and 51 recite subject matter similar to that of independent Claim 45. As such, Applicant also respectfully submit that independent Claims 47, 49 and 51, and by dependency Claims 48, 50 and 52, are also patentably distinct from Damico for at least the reasons similar to those given above with respect to independent Claim 33.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of Claims 45-52 as being anticipated by Damico is overcome.

***D. Claims 53-56 are Patentable***

According to another aspect of the claimed invention, as reflected by independent Claim 53, a computer-implemented method is provided for managing information. As recited, the method includes providing an intermediary gateway device for communicating with network accessible datastores, and receiving a request at the intermediary gateway device to communicate with a particular network accessible datastore having a corresponding Uniform Resource Locator

(URL). As also recited, the method includes providing access to the particular network accessible datastore through the intermediary gateway device using a URL that incorporates the URL corresponding to the particular network accessible datastore and a URL of the intermediary gateway device, where the intermediary gateway device controls the access to the particular network accessible datastore.

In contrast to independent Claim 53, and as explained above with respect to independent Claim 33, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device. As also explained above with respect to independent Claim 33, Damico does not teach or suggest modifying the particular network address of the network-accessible datastore to incorporate the address of the intermediary gateway device, and providing access to the network-accessible datastore using the modified address. Likewise, then, and in further contrast to independent Claim 53, Damico does not teach or suggest providing access to the network-accessible datastore using a URL that incorporates the URL of the network accessible datastore and the URL of the intermediary gateway device.

For at least reasons similar to those presented above with respect to independent Claim 33, then, Applicants respectfully submit that independent Claim 53 is patentably distinct from Damico. Applicants also respectfully submit that independent Claims 54-56 recite subject matter similar to that of independent Claim 53. As such, Applicant also respectfully submit that independent Claims 54-56 are also patentably distinct from Damico for at least the reasons similar to those given above with respect to independent Claim 33.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of Claims 53-56 as being anticipated by Damico is overcome.

***E. Claims 57-60 are Patentable***

According to another aspect of the claimed invention, as reflected by independent Claim 57, a method is provided for managing information using an intermediary gateway device having a corresponding network address. As recited, the method includes receiving a user request for content from a network accessible datastore having a particular network address, and modifying the particular network address of the datastore to incorporate the address of the intermediary

gateway device. As also recited, the method includes providing the requested content through the intermediary gateway device using the modified address of the network accessible datastore. In this regard, providing the requested content includes receiving the requested content at the intermediary gateway device from the network accessible datastore, aggregating the requested content with other content at the intermediary gateway device, and providing the aggregated content to the user from the intermediary gateway device.

As explained above with respect to independent Claim 33, Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device. Likewise, in contrast to independent Claim 57, Damico does not teach or suggest providing requested content (from the network accessible datastore) through the intermediary gateway device. And as Damico does not teach or suggest providing access to a network-accessible datastore through an intermediary gateway device, Damico also does not teach or suggest receiving the requested content at the intermediary gateway device from the network accessible datastore, aggregating the requested content with other content at the intermediary gateway device, and providing the aggregated content to the user from the intermediary gateway device, as also recited by independent Claim 57. In addition, in further contrast to independent Claim 57, and as also explained above with respect to independent Claim 33, Damico does not teach or suggest modifying the particular network address of the network-accessible datastore to incorporate the address of the intermediary gateway device, and providing the requested content to the network-accessible datastore using the modified address.

For at least reasons provided immediately above, as well as those similar to those presented above with respect to independent Claim 33, then, Applicants respectfully submit that independent Claim 57 is patentably distinct from Damico. Applicants also respectfully submit that independent Claims 58-60 recite subject matter similar to that of independent Claim 57. As such, Applicant also respectfully submit that independent Claims 58-60 are also patentably distinct from Damico for at least the reasons similar to those given above with respect to independent Claim 33.

Application No.: 09/482,032  
Amendment Dated August 14, 2008  
Reply to Official Action of July 10, 2008

### **CONCLUSION**

In view of the amendments to the claims and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Andrew T. Spence  
Registration No. 45,699

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111  
LEGAL01/13088205v1

**ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON AUGUST 14, 2008.**